

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	
	:	
-against-	:	22-CR-540 (VEC)
	:	
	:	<u>ORDER</u>
JAMES GARLICK,	:	
	:	
Defendant.	:	
	:	
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VALERIE CAPRONI, United States District Judge:

WHEREAS the Final Pre-Trial Conference in this case is scheduled for Wednesday, May 31, 2023 at 2:30 P.M. in Courtroom 443 and trial in this case is scheduled for Monday, June 5, 2023 in Courtroom 443, *see* Order, Dkt. 33;

WHEREAS on May 17, 2023, the Court found that Mr. Garlick knowingly, voluntarily, and unequivocally waived his right to counsel and may proceed in this matter representing himself, with the Federal Defenders of NY, Inc. (the “Federal Defenders”) as standby counsel; *see* Order, Dkt. 63;

WHEREAS on May 18, 2023, the Federal Defenders moved to be relieved as standby counsel due to an irreparable breakdown in their relationship with Mr. Garlick, *see* Letter, Dkt. 68; and

WHEREAS on May 22, 2023, the parties appeared before the Court to discuss the Federal Defenders’ motion;

IT IS HEREBY ORDERED that for the reasons stated at the May 22, 2023 hearing, the Federal Defenders’ motion is DENIED. Although the Federal Defenders will remain as standby counsel for Mr. Garlick, the Court will not alert the jury to their presence or role.


IT IS FURTHER ORDERED that, in light of Mr. Garlick's adamant that he does not want the assistance of standby counsel, the Court's previous direction to the Federal Defenders to provide a "clothing order" for Mr. Garlick is vacated. Mr. Garlick must provide a clothing order to the Court for signature not later than the Final Pre-Trial Conference on May 31, 2023.

IT IS FURTHER ORDERED that, because standby counsel will not be introduced to the jury (unless, during the course of the trial, Mr. Garlick forfeits his right to represent himself so that standby counsel is substituted as counsel to represent him), Mr. Garlick may not consult with standby counsel during the trial while the jury is in the Courtroom.

IT IS FURTHER ORDERED that the Final Pre-Trial Conference is rescheduled to **Wednesday, May 31, 2023 at 10:30 A.M.** in Courtroom **318**. The trial will also take place in Courtroom **318**.

SO ORDERED.

Date: May 22, 2023
New York, NY



VALERIE CAPRONI
United States District Judge